

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

KAJEET, INC.

Plaintiff,

v.

TREND MICRO, INC.,

Defendant.

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CASE NO. 6:21-CV-389-ADA

**JURY TRIAL REQUESTED**

**DEFENDANT TREND MICRO, INC.'S NOTICE OF SUPPLEMENTAL AUTHORITY  
IN SUPPORT OF ITS MOTION TO TRANSFER AND SUBMISSION OF  
PROPOSED ORDERS**

Defendant Trend Micro, Inc. (“Trend Micro”) hereby supplies as supplemental authority two recent decisions of the Court of Appeals for the Federal Circuit in *In re: Juniper Networks, Inc.*, \_\_\_ F. 4th \_\_\_, Appeal No. 2021-160 (Fed. Cir. Sept. 24, 2021) (Ex. A, “*Juniper*”) and *In re: Google LLC*, \_\_\_ F. 4th \_\_\_, Appeal No. 2021-171 (Fed. Cir. Oct. 6, 2021) (Ex. B, “*Google*”). The *Juniper* and *Google* decisions both applied the Fifth’s Circuit’s *Volkswagen* factors governing transfer motions and, based on that analysis, directed this Court to transfer cases from the Waco Division of this District to the Northern District of California. Both decisions support Trend Micro’s Motion (Dkt. No. 19) to transfer this case to the Northern District of California.

Furthermore, pursuant to Paragraph 11 of the Court’s October 8, 2021 Standing Order Governing Proceedings – Patent Cases, Trend Micro submits two attached proposed Orders relating to its Motion to transfer. If the Court decides to grant the primary relief sought in Trend Micro’s Motion, the first proposed Order (Ex. C) would transfer this case to the Northern District of California. If the Court decides to deny the primary relief sought but instead grant Trend Micro its alternative relief, the second proposed Order would effect intra-district transfer of the case to the Austin Division. (Ex. D).

Dated: October 15, 2021

Respectfully submitted,

By: /s/ Katherine P. Chiarello  
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***Attorneys for Defendant Trend Micro  
Incorporated***

**CERTIFICATE OF SERVICE**

Pursuant to the Federal Rules of Civil Procedure and Local Rule CV-5, I hereby certify that, on October 15, 2021, all counsel of record who have appeared in this case are being served with a copy of the foregoing via the Court's CM/ECF system.

/s/ Katherine P. Chiarello  
Katherine P. Chiarello